

Patna High Court - Orders

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Brij Nandan Singh vs The State Of Bihar & Ors on 19 September, 2012

IN THE HIGH COURT OF JUDICATURE AT PATNA Civil Writ Jurisdiction Case No.17374 of 2012

===== Brij Nandan Singh, S/O Late
Kuldip Singh, Resident of Vill- Nawalpura, P.O. - Titra, P.s. Jiradei, District Siwan Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The District Magistrate, Gopalganj
3. The District Programme Section, Gopalganj Collectorate, Gopalganj
4. The Bihar Chief Information Commission through its Joint Secretary, Bailey Road, Patna
5. The Joint Secretary, Bihar State Information Commission, Bailey Road, Patna
6. Munna Thakur, S/O Parasnath Thakur, Resident of Vill - Baranaiyan, PO Debhawa, P.S. - Gopalpur, District Gopalganj Respondents

===== Appearance :

For the Petitioner : Mr. Chakrapani, Advocate For the Respondents 4 & 5 : Mr. Lalit Kishore, Sr. Advocate & Mrs. Binita Singh, Advocate

===== CORAM: HONOURABLE MR.
JUSTICE V.N. SINHA ORAL ORDER

2 19-09-2012 Heard learned counsel for the petitioner and the State

Information Commission.

2. Petitioner is serving as District Programme Officer

(Establishment), Gopalganj. He has been directed to furnish

information sought for by Respondent no.6 under Right To

Information Act, failing which the Treasury Officer has been

directed to realize the fine amount and deposit in the appropriate

head of the treasury. Later, petitioner sought review of the order

dated 13.3.2012, Annexure-6, which request has also been rejected

under Memo No. 3022 dated 25.6.2012, Annexure-8.

3. It is submitted on behalf of the petitioner that the 2 Patna High Court CWJC No.17374 of 2012 (2) dt.19-09-2012

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information sought for by Respondent no.6 is related to the Welfare Department and petitioner being the District Programme Officer of the Education Department, is not capable of furnishing such information as Welfare Department has got its own Programme Officer.

4. Aforesaid submission was never raised before the Information Commissioner, as such, I am not inclined to entertain such submission. Request to set aside the aforesaid two orders contained in Annexures-6 and 8 is rejected with cost of Rs. 5000/- which should also be realized from the salary of the petitioner and deposited in the appropriate head of the treasury referred to in the order of the Information commissioner dated 13.3.2012, Annexure-6.

5. The writ petition is, accordingly, dismissed.

(V.N. Sinha, J)

Arjun/-